

*Portugal - Conselheira de Portugal*  
*1507/385*  
THE  
GENUINE LEGAL  
SENTENCE

Pronounced by the  
High Court of Judicature  
OF  
PORTUGAL  
UPON THE

Conspirators against the Life of His  
Most Faithful MAJESTY ; with the just Motives for  
the same.

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*Literally translated from the Original Portuguese, as  
printed at the Court of Lisbon, by Order and Autho-  
rity of the said Tribunal.*

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C O R K :

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SENIOR



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C O R R E C T I O N  
Revised by William and George T. Smith, Esq. and  
George T. Smith, Esq. and George T. Smith, Esq.

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THE  
GENUINE LEGAL  
SENTENCE &c.



**A**GREED by Persons of the Council and Senate of our Lord the King, &c. After examining the Proceedings, which according to Form of Law and his Majesty's Decrees were succinctly carried on against the Criminals, *Joseph Mascarenhas*, heretofore Duke of *Aveiro*; Lady *Eleanor* of *Tavora*, heretofore Marchioness of that Title; *Frances Affizes* of *Tavora*, heretofore Marquis of the said Title; *Lewis-Bernard* of *Tavora*, heretofore Marquis of the same Title; Don *Jerome* of *Ataide*, heretofore Count of *Attouguia*; *Joseph-Maria* of *Tavora*, heretofore Adjutant of the military Orders of the Marquis his Father; *Blaize-Joseph Romeiro*, Corporal in the Company commanded by the Criminal, *Lewis Bernard* of *Tavora*; *Antony-Alvares Ferreira*; *Joseph-Policarp de-Azevedo*; *Emanuel-Alvares Ferreira*, Keeper of the Wardrobe to the Criminal *Joseph Mascarenhas*; and *John Michael*, attending Page to the said Criminal *Joseph Mascarenhas*; together with the rest of the Depositions, and Papers annexed; Allegations, Articles and Defences made by the said Criminals, &c. &c. &c.

A. 2

I. And



I. And whereas it appears fully proved by the Confessions of the major Part of the said Criminals, and by many Witnesses attesting upon ocular Evidence, and their own Deed, which agree with those, That the Criminal *Josepb Mascarenhas* had conceived a desperate, sacrilegious, and implacable Wrath against the August and most Sacred Person of our Lord THE KING, on account of his Majesty's having, by his Royal Providential Measures and most equitable Orders, defeated the Schemes with which the aforesaid Criminal had artfully and rashly endeavoured, not only to arrogate to himself, in the actual most happy Government of these Kingdoms, all that pernicious Influence, which, by Means of the Authority of his Uncle *F. Gaspar da Incarnacao*, he had during the latter Years of the immediately foregoing Reign; but also to cause the important Commendams, which had been held as Grants for Life, by the Administrators of the House of *Aveiro*, to be adjudged inherent to the Crown-Lands and Patrimonial Estate of the said House, and in which Commendams, (as being subject to the same Regulations as all Ecclesiastical Benefices) the said Criminal could claim no Right without founding it on a personal Title, he absolutely had not: And on Account of our said Lord's having likewise put a Stop to the Celebration of the Marriage, which he had hastily and greedily adjusted between his Son the Marquis of *Gouvea*, and Lady *Margaret de Lorena*, immediate Sister to the Duke of *Cadaval*, Don *Nuno Cajetan de Mello*; with the Design in all Appearance of making that Marriage the Means of blending with his own House, as an occasional Augmentation thereof, the most Illustrious House of *Cadaval*; the actual Lord of which being actually a Minor, still liable to the Small-Pox, (so fatal to his Family) and moreover unmarried, the said Criminal endeavoured, at the same Time, to hinder from entering into the Marriage-State; by commencing and fomenting Law-Suits and Executions against him, which might throw the Estates of the said Duke, in his Minority, into such a perplexed Condition, as shou'd deprive him of the necessary Means towards bearing the Expences of the Marriage, with which a Duke of *Cadaval* should endeavour at the Confirmation of his most worthy and most Illustrious House.



II. It



II. It farther appears, that the said Criminal Don *Joseph Mascarenhas*, being djabolically excited by the malignant Spirit of Pride, Ambition, Avarice, and implacable Wrath against the most August and most Beneficent Person of his Majesty, proceeded immediately to clear the Way for those farther Absurdities, with which he has since debased himself, by his industrious Endeavours to decoy and gain over to himself all those Persons whom he knew that our said Lord had justly excluded from his Royal Good-liking, or whom he knew to be unjustly discontented with his Majesty's most happy Government; endeavouring to alienate them still more from the Royal Service, by the most pernicious Instances of his own sacrilegious Detraction and Hatred: Infamously shunning it himself: Running into the impious Extreme of saying, that for him (the Criminal) it was one and the same Thing, to be ordered to go to Court, as to have his Legs cut off: And giving into the Folly of flattering himself, and approving and consenting to his being told by others, that there was now no other Eminence for him to reach than the Throne, by becoming King himself.

III. It farther appears, that in Pursuance of this infernal System of infamous Hatred and Sedition, notwithstanding the implacable Aversion and declared War which subsisted between the aforesaid Criminal and the *Jesuits*, and which during the whole Time of the Ministry of his said Uncle *F. Gaspar da Incarnacao* caused such a general and clamorous Scandal throughout this Court and Kingdom; and notwithstanding that, even after the Death of the said *F. Gaspar*, the same implacable Aversion had notoriously subsisted between him (the Criminal) and the aforesaid *Jesuits*; as soon as ever these were dismissed from receiving the Confessions of their Majesties and Royal Highnesses, and univertally forbidden all Access to Court, on the most just and pressing Considerations of the Schemes they had laid for alienating certain foreign Courts from the Friendship and Union they had with his Majesty, and of the formal Rebelions and open Wars, with which they disturbed our said Lord in *Uruguay* and *Maranhao*; the Criminal, who was in Duty bound, by Reason of his Office and Vassalage, to make it his Business in the like Circumstances to shun the Society

Society of the said *Jesuits*, as Men infected with a Plague, acted so very much the reverse, that, by a Reconciliation quite sudden and incompatible with his inflexible Pride, he artfully and industriously patched up a Reunion and Intimacy with the aforesaid People: Paying them frequent Visits in all their Houses: Receiving them in like manner at his own House: holding very long Conferences with them: Cautioning his domestic Servants to acquaint him, whenever any of the *Jesuits* came to his House: And recommending an inviolable, wary and unusual Secrecy concerning the reciprocal Visits, which passed between him and the *Jesuits* aforesaid.

IV. It farther appears, that the execrable Effects of that Reconciliation (as incompatible with the Pride of the Criminal, as with the known Atrogance and revengeful Spirit of the said *Jesuits*) were: One, that all the aforesaid Persons linked themselves together, and declared themselves Enemies to the most August Person of his Majesty, and to his most happy and most glorious Government: The other, that in this Conspiracy, they proceeded even to the horrible Excess of unanimously agreeing all with one another, in the Conferences held with the Criminal in their Colleges of *Santo Antao* and of *S. Roque*, and in his House, that the only Means there was for effecting a Change of the Government of the Realm, which made the common ambitious and detestable Object of the said Conspirators, was that of contriving the Death of our Lord THE KING: All persisting to make a common Cause of this sacrilegious and infamous Project: The said *Jesuits* promising Indemnity to the said Criminal in the Execution of that infernal Parricide, with the Reflection, that all Things would be quiet, as soon as ever his Majesty's most precious and most glorious Life was put an End to: And the same *Jesuits* giving it as their Opinion, that whoever should be the Parricide of our said Lord, would not so much as sin, even lightly: All which machiavelian, detestable and savage Wiles, shocking to pious Ears, were maintained in the repeated Meetings, which were held upon this infamous and abominable Conspiracy

ragy between the said *Jesuits* and the said Criminal, together with other his Associates in the same Crime.

V. It farther appears, that the Criminal and the aforesaid *Jesuits*, in pursuance of the same detestable Confederacy and infernal Conspiracy, and operating all with common Accord, proceeded to the drawing the Marchioness of *Tavora* into the same, in spite of all that innate and ancient Aversion which had always subsisted between the said Marchioness and the same Criminal; as well on Account of their opposite Geniuses, as by reason of their jarring Interests: For, notwithstanding that there had constantly existed a declared Jealousy between the said Marchioness and the Criminal, concerning which should gain the Ascendant in Ambition and Haughtiness; notwithstanding the most stimulating Envy, with which the said Marchioness was tortured, at seeing the House of the said Criminal exalted above her own in Honours and Wealth; and notwithstanding that the said Criminal had rendered that Hatred far more stinging yet, by the many and great Efforts he had made, while the Marquis *Francis-Affixes* of *Tavora* was absent in the States of *India* in order to deprive him at that Juncture of the Copy-holds of *Margaride* and of the free Estates of his House: Notwithstanding all the abovesaid Particulars, the Art of the said *Jesuits* on the one Hand, and the Art of the Criminal on the other, wrought so effectually, that in Fact they gained their Point of drawing the said Marchioness into their infamous Confederacy.

VI. It farther appears, in Confirmation of the foregoing Facts, that the said Marchioness having entered into the aforesaid Conspiracy, both she and the said *Jesuits* set about persuading all Persons of their Acquaintance and Friendship, that *Gabriel Malagrida*, a Member of the same Society of *Jesuits*, was a Man of great Self-denial and a Saint; the said Marchioness performing, as indeed she did perform, spiritual Exercises, under the Guidance and Direction of the aforesaid *Jesuit*; shewing that she intely followed his Dictates and Counsels; and by these Ottentations of her Faith in the said *Gabriel Malagrida*, and of her Subjection to his Spirit, causing such grievous and pernicious Mitchiefs as were the following: —I.

That



*That* she, this Criminal, held a daily Assembly at her own House for Slanders and Calumnies, in order to excite Aversion and Hatred to his Majesty's Royal Person and most happy Government: II. *That* the ordinary Conversation at the said House was one continued Cabal of Treacheries and Plots against the Royal Person of our said Lord; it being agreed therein, that it would be very useful, that our said Lord should cease to live; and many of the Agreements and Plottings on this abominable Principle, being made in the House of the said Marchioness, in order to committing and supporting the sacrilegious Insult of the Night of the *Third of September of last year*: III. *That* the same Marchioness entered into Confederacy with the Duke of Aveiro, through the Conformity of their detestable Sentiments; being present with him at the other Agreements and Plottings, which were made in the House of the same Duke, to deprive our Lord THE KING of his most precious and most glorious Life; in order that the happy Government of our said Lord might by that means be put an End to: IV. *That* the said Marchioness did also confederate with the Jesuits, John de Matos, John Alexandre, and others besides the aforesaid Gabriel Malagrida, her constant and absolute Director: V. *That* the said Marchioness set herself up for one of the three Ringleaders of this barbarous and horrible Conspiracy, in order to propagate it; endeavouring with her Authority and Artifice, by the Means aforespecified and others, to draw into the said Conspiracy all the Persons she could possibly decoy: VI. and lastly, *That* she the said Criminal associated herself immediately with the perfidious and sacrilegious Perpetrators of the execrable Insult of the Night of the *Third of September of last Year*, contributing Sixteen Moidores in Part of the Reward, which was given to the infamous and detestable Monsters, who in the aforesaid unfortunate Night fired the sacrilegious Shot, which produced those most enormous Mischiefs, which we all deplore.

VII. It farther appears, that the said Marchioness, in pursuance of her abominable Plan, and having arrogated to herself the despotic Direction of all the Actions of the Marquis, Francis Affizes of Tavora, her Husband; of  
her

her Sons ; of her Daughters ; of her Son-in-Law ; of her Brothers-in-Law ; and of other Persons ; infamously prostituted the Authority, which she assumed over them, to the Perversion of them all. It being she, who, hurried away by a diabolical Spirit of Pride, and Thirst of Dominion and a Greediness for Riches ; by joining for these purposes, with the Duke of *Aveiro*, and with the said *Jesuits* (as has been made appear) did impiously and inhumanly decoy and ensnare her said Husband, Children, Son-in-Law, Brothers-in-Law, and Friends (as will be more fully shewn hereafter) into the aforesaid Confederacy, and into the horrible Insult of the Night of the *Third of September* of *last Year*: Using, for the Instruments of this infernal Work, not only the Opinion she affected to have of the pretended Sanctity of the afore-named *Gabriel Malagrida* ; but also the Letters, which he frequently wrote to her, to persuade all her Relations to go and join in spiritual Exercises with him the said *Malagrida*.

VIII. It farther appears, that, in consequence of these diabolical previous Steps, the *First of the Followers*, who miserably plunged himself into the Infamy of the said Conspiracy, was the Marquis *Francis-Affixes of Tavora*, being dragged by the Persuasions of the said Marchioness, his Wife ; of the Duke of *Aveiro*, his Brother-in-Law ; and of the said *Jesuits*, to fall into the same Precipice : *Insomuch* that he went to the Excess of making his House an infamous Office of Conspiracies, Treacheries, and Plots, against the High Fame and most precious Life of his Majesty ; being also pretent, for these abominable Purposes, at those pernicious Conferences and Conspiracies, which were had and held in the House of the Duke of *Aveiro*, in order to change his Majesty's Government, and deprive our said Lord of his most precious Life : *Insomuch* that he even carried to the said Duke *Twelve Moidores* (or upwards of *fifty-seven Milreis* and a half) which fell to his Share of the most infamous Reward, which was given to the two Assassins aforementioned, before they committed the Insult of the *Third of September* of *last Year* : *Insomuch* that, immediately upon the Perpetration of the said Insult, the said Marquis *Francis Affixes* was reputed and declared to be one of the Accomplices

complices guilty of that execrable-Enormity, as well by the common Voice and Rumour of the Public, as from the Opinion and certain Knowledge of the Servants of both Houses, and of the Associates in the aforesaid Insults: It being above all Things especially proved, that he concurred towards it, and personally assisted at it, in one of the Ambushes, which were infamously laid in that most unfortunate Night of the *Third of September* of last Year; in order that our Lord THE KING, escaping from any of them, might fall into the others: *Insomuch* that, after the Perpetration of the said Crime, he was seen by him in that same Night, as he was retiring from the said Ambushes in the Grounds behind the Garden of the said Duke of Aveiro, actually treating with the other Accomplices about the same Crime, which all had been aiding and assisting at: And *insomuch* that he was also present at the Meeting of the *Relations*, which on the Day immediately following the Insult of the *Third of September*, was held in the House of the said Duke of Aveiro; where some of them reproached the Assassins for not having struck the Blow so as to work all its most mischievous Effects; while others bragged, that they should have done it, had our Lord THE KING passed by the Ambushes in which they were posted to way-lay him.

IX. It farther appears, that the *Second* of the Followers, whom the said Marchioness, Lady Eleanor of Tavora, the Duke of Aveiro and the said Jesuits confederated with them, drew into the same infamous Conspiracy, by decoying him with the Opinions of the Jesuits aforesaid, and particularly with the Spirituality of Gabriel Malagrida, and with Calumnies against his Majesty's most august Person, and most happy and most glorious Government, was the Marquis, Lewis-Bernard of Tavora: It being proved against this Criminal, that he resorted almost every Day to the House of the Duke of Aveiro, or was visited by the same: That thus he was personally present at the most pernicious Cabals of sacrilegious Calumny, and the infamous Conspiracies, which were held at the respective Houses of the Marquis and Marchioness, his Parents, and of the Duke of Aveiro: That, in fact, he joined in the said Confederacy, offering Arms and Horses  
for



for the Perpetration of the sacrilegious Insult: *That* two Days before it was put in Execution, he had with studious Precaution sent to the Stables of the Duke of Aveiro two Horses ready bridled and saddled, and covered with their Saddle cloths: That having in the Afternoon of the same Day, *third of September of last Year*, previously to the aforementioned Intub, kept himself, contrary to his usual Custom, retired and shut up with the Marquis, his Father; with *Josepb-Maria of Tavora*, his Brother, and with others, consulting about the same Insult; he personally assisted in fact at the Ambushes, which, in that most unfortunate Night of the *Third of September of last Year*, were laid against his Majesty's most august and most precious Life, that, if he should escape some of them, he might not fail of perishing in the others, which were laid between the two Country-houses: And finally, *that* on the Day immediately following the said Insult of the Night of the *Third of September of last Year*, he also personally assisted at the Family-Meeting, which was held at the House of the Duke of Aveiro; at which some of the Persons present reproached the Assassins, who fired the sacrilegious Shot, for that these had not at all their detestable Effect; while others flattered themselves that the said detestable Crime had been fully accomplished, if the Carriage of our Lord THE KING had but passed by the Place where these barbarous and sacrilegious Boasters were way-laying him.

X. It farther appears, that the Third of the Followers, whom the said *three* seditious and detestable Ring-leaders drew into this infamous Conspiracy, and plunged into this sacrilegious and barbarous Crime, was Don *Jerome of Ataide*, Count of *Atouguia*, Son-in-law to the aforesaid Marquis *Francis Affizes*, and Lady *Eleanor of Tavora*; it being proved, *that* he, with the Countess his Wife, almost every Night assisted at the seditious and abominable Cabals, which were held in the House of the Marquis and Marchioness, his Father and Mother-in-law: *That*, at the said Cabals, he was perverted by his said Mother-in-law, so far as to follow in all Things, and to all Intents, the abominable Maxims of the Marchioness his said Mother-in-law, and the detestable Doctrines of the *Jesuits*, suggested

gested by *Gabriel Malagrida*, *John de Matos*, and *John Alexandre*; and that he conceived a great Aversion for the Royal Person and happy Government of our Lord, THE KING. That he therefore concurred with *Eight Moydors* towards the most worthless Reward of the Assassins, who fired the sacrilegious Shot; and that he entered into this Conspiracy with the *Jesuits*, *Malagrida*, *John de Matos*, and *John Alexandre*: And, finally, that this Criminal was an Associate in the Way-layings, which were posted against his Majesty in the same most unfortunate Night of the *Third of September* of last Year; and that the Countess, his Wife, personally assisted at the infatuated and unnatural and Family-Meeting or Assembly, which, on the Morrow next following, the Insult was held in the manner afore-described, at the House of the Duke of *Aveiro*, situated in the Town of *Belem*.

XI. It further appears, that the *Fourth Follower*, whom the afore-mentioned *three* Ring-leaders, or Heads entangled in this Conspiracy, by the Methods already related, was *Joseph Maria* of *Tavora*, Adjutant of the military Orders of the Marquis of *Tavora*, his Father: for it is proved, that This, who is a Youth, and a young Officer, being perverted by the Marchioness his Mother at the most pernicious Cabals, which were held at her House, as has been shewn, not only entered into the Confederacy with the rest of the Associates in this horrible Crime, holding himself dissatisfied with, and wronged by his Majesty's Government; but also was personally present at the insidious and sacrilegious Ambushes, which were laid, in the said most unfortunate Night of the *third of September* of last Year, against the most precious Life of our said Lord: That, in like manner, he concurred with the rest of the Associates in the Crime, at the Meeting, which they held the same Night after the Perpetration thereof when they assembled in the Ground, lying to the North of the Garden of the Duke of *Aveiro*, close to the Pent-house, which leads to his Buildings: And, finally, that he was likewise present at the other Meeting, which on the Day immediately following the Insult, was held in the House of the Duke of *Aveiro*; this Criminal being the Person who

(alluding

(alluding to the Prodigy of his Majesty's escaping with his most precious Life in Safety) uttered those savage and shocking Words: *Alas! the Man ought not to have escaped.*

XII. It farther appears, that the *Fifth Follower*, whom the aforesaid three Ring-leaders, or Heads of this infamous Conspiracy engaged in it, and in the sacrilegious Insult, which it gave Birth to, was *Blaise-Joseph Romeiro*: It being plain, from his own Confession, that he had constantly since the Year 1749, lived with the Marquis of *Tavora*, *Francis Affizes*, and the Marchioness Lady *Eleanor of Tavora*, with whom he went that Year to the *Indies*, and whom he also attended back from the same: But was since moved from the Family of these to that of their Son, the Marquis, *Lewis-Bernard of Tavora*: And was actually a Corporal in his Company, Steward of his Household, and his grand Favourite: In which Qualities, it is manifestly proved, that the said Marquis, *Lewis-Bernard of Tavora*, not only trusted him with what passed, in the Evening preceding the Night of the Insult, between him, and his Father, and Brother, at the Meetings they had together; but also, that the Marquisses, Father and Son, had given him the Charge, under Tie of Secrecy, to lead the three Horses, which, in the Night of the Insult, they ordered to be saddled, armed and forwarded to the Grounds, where the said Insult was committed: It being proved moreover, that this Criminal, in Fact, was present at the sacrilegious Ambushes, which, in the Night, wherein that execrable Crime was perpetrated, were posted, in order to way-lay his Majesty; he being in one of those, the very Associate. who accompanied the Marquis, *Francis Affizes of Tavora*: And, finally, that he was also present at the Meeting, which the Associates in the said Ambushes went and held, after retreating from thence, in the Ground lying to the North of the Garden of the Duke of *Aveiro*.

XIII It farther appears, that the *Sixth and Seventh Followers*, whom the Head of this Conspiracy, *Joseph Mascarenhas* (heretofore Duke of *Aveiro*) engaged in it, where the Criminals, *Anthony-Alvares Ferreira*, formerly  
Keeper



Keeper of the Wardrobe to the said *Joseph Mascarenhas*, and *Joseph Policarp de Azevedo*, Brother-in-Law to the same *Anthony-Alvares*. It being fully proved, that the said *Joseph Mascarenhas* charged *Emanuel Alvares*, his actual Keeper of the Wardrobe, to send for his said Brother *Anthony Alvares*: That this in fact came and spoke with the said *Joseph Mascarenhas*: That the said *Joseph Mascarenhas* talking to him in a Barrack, which is behind the Garden of his House at *Belem*, he communicated to him in great Secrecy the Order for way-laying the Carriage, which conveyed his Majesty from the Country-house, called *de Mayo* (or the Mid-one) to that called *de Cima* (or the Upper-one) where his Royal Palace stands; and for firing upon the said Carriage with two short Pieces of Fire-Arms, in Company of the said *Joseph Mascarenhas*: That, afterwards changing their Minds, they both agreed, that he (*Anthony Alvares*) should speak to the said *Joseph Policarp*, who was his Brother-in-Law, that he might become an Associate in the execrable Crime in Question: That in fact, thus far it succeeded; so that they both went on treating with the said *Joseph Mascarenhas* concerning the Dispositions towards the Perpetration of the said detestable Crime: That in reality, both the said Criminals went several times o'Foot and o'Horse-back, in the Company of the said *Joseph Mascarenhas*, in order to become acquainted with the said Carriage: That, for the said Purpose, he ordered them to buy two Horses not known. As, in Fact, the Criminal *Anthony Alvares* did buy one of them of *Lewis da Horta* (who resides in the Yard of *Socorro*) for four Moydores; another from a Gipsy, called *Emanuel Soares* (living at *Marvilla*) for four Moydores and a half: That also the said *Joseph Mascarenhas* ordered them to buy unknown Arms, which the aforesaid Criminal, *Anthony Alvares*, did not buy; he, together with his said Brother in Law, making use of one Blunderbuss, of his own, of another which was borrowed, and of two Pistols, which he had asked the Loan of (under Pretext of making a Trial of them) from a Foreigner, who resides in the House of the Count of *Uniao*; and that immediately after the Insult, he had returned them to him again: That

That these were the Arms, which the said *Antony Alvares* and *Joseph Policarp* had fired off against the said Carriage, which conveyed his Majesty, in that most unhappy Night of the third of *September* of last Year, when the Insult was committed: That the Premium, which these two most savage Criminals received for the same, from the afore-mentioned *Joseph Mascarenbas*, who had given them the Orders for that Purpose, was Forty Moydores; sixteen at one Time, four at another, and twenty at another: That immediately after having discharged the said Arms on the Back of the Carriage, which conveyed our said Lord, he the said *Antony Alvares*, and his said Brother-in-Law, fled away through the Grounds till they got into the Lane, which runs on the Out-side of the Garden *do Meyo*, from whence through the Cross-street of the Chief Commissary of Health, they retreated directly to *Lisbon*: And finally, that the Criminal *Antony Alvares*, going two Days afterwards to the House of the other afore-said Criminal, who had given him the wicked Orders, and by whom he was then sent for, he reproached him greatly, saying: That *those Shot were of no Service*; and uttering (with his Finger on his Mouth, and great Serenity) the following Words: *Hush! for the Devil himself can know nothing of the Matter, if thou do'st not tell him*; and charging him not to sell the Horses directly, that he might not become suspected. Inasmuch that it is proved, beyond the Reach of Doubt, that these two most horrible Monsters *Antony Alvares Ferreira*, and his Brother-in-Law *Joseph Policarp de Azevedo*, were the two most outrageous Monsters, who fired those Shot, from which the Royal Person of his Majesty received the sacrilegious Blows, which the Honour, the Fidelity, and the filial Love of all his Vassals throughout these Realms bear to him, have caused them to deplore with an unspeakable Redundancy, of Tears.

XIV. It farther appears, that the Eighth Follower whom the same Ring-leader, *Joseph Mascarenbas*, drew into this Conspiracy, was the Criminal, *Emanuel Alvares Ferreira*, who several Times sent for, and went to fetch the sacrilegious Assassin *Antony Alvares Ferreira*, his Brother;

Brother ; who brought to the said *Joseph Mascarenbas* the Cloaks, and the Wigs, with which he disguised himself the Night of the Insult : Who, till the Time of his being taken, had kept in profound Secrecy the clear Knowledge, which his said Brother *Antony Alvares* had given him, three or four Days after the Insult of the Night of the third of *September* of last Year, concerning the Order he had from the said *Joseph Mascarenbas* for the aforesaid Insult, and touching his sacrilegious Perpetration of the same : And finally, who was the very Person, that, at the Country-House of *Azeitao*, made the Resistance, by snatching the Sword from the Side of the Notary *Lewis Antony de Leiro*, when he honourably and resolutely stopped the aforesaid *Joseph Mascarenbas*, in the Escape he was attempting to make.

XV. It farther appears, that the Ninth Follower, whom the above-mentioned Ring-leaders drew into this Conspiracy, was *John Michael*, attending Page, and the grand Confident of the aforesaid Criminal *Don Joseph Mascarenbas* ; this appearing, by the Name of *John*, to have been, in the Night of the Third of *September* of last Year, one of the Associates in the Insult in Question ; and his said Master afterwards declaring this very Criminal, *John Michael*, to have been the very identic *John*, who was associated with him under the Arch, from whence the said *Joseph Mascarenbas* fired upon the Position, and missed his Fire.

XVI. It farther appears, that, by Means of all the Confederacies, Associations, Assistances, above rehearsed, the aforesaid three Ring leaders, or Heads of this Conspiracy, and their afore-mentioned Associates, prepared and executed the most horrid Insult of the said Night of the Third of *September* of last Year, with such Deliberation, Obstinacy, and Cruelty, that though the Insult itself be a Matter of unparelled Heinousness and Scandal in its very Nature, yet it is rendered far more heinous, scandalous, and shocking, by the Manner in which it was perpetrated, as follows :

XVII. It



XVII. It farther appears, that, *after that Joseph Mascarenbas*, and *Lady Eleanor of Tavora*, two of the ring leaders of this infamous conspiracy, had settled a most sordid Gathering, to which the other Associates aforespecified, did also contribute, towards making up the paltry sum of One hundred and ninety two Milreis, which were the premium given to the two savage and unnatural Assassins, *Antonia Alvares Ferreira*, and *Joseph Policarp*; after that the Criminal *Lewis Benward of Tavora*, had, two Days before the Insult, sent to the stables of the Criminal *Joseph Mascarenbas* two Horses ready bridled, saddled, and armed for his own service in the Business: After that the other Criminal *Francis Affizes of Tavora*, had also sent to the same stables of the Criminal *Joseph Mascarenbas* the other three Horses, which were led thither, the Night of the Insult, by the Corporal *Blaise-Joseph Romeiro*, and by the postilion *Antony-Joseph*: after that, the aforesaid *Joseph Mascarenbas*, had, the same night, ordered the two other horses for his own riding, called *Serra* and *Guarda-mor*, with the two nags, called *Palhava* and *Coimbra*, to be also got ready, and posted in the grounds which lie behind the barrack of his secretary *Antony-Joseph de Mattos*: after that, with the above-said nine horses, and with the two of the infamous and savage malefactors, *Antony-Alvares* and *Joseph Policarp*, they compleated the number of eleven horses, for as many associates in the crime, who were mounted thereon: they also posted themselves, divided into different parties or ambuscades, within the little tract of ground, which lies between the northern extremity of the houses belonging to the garden called *do Meyo*, and the opposite southern extremity of the garden called *de Cima*, through which our Lord THE KING usually returned home, when he had been abroad in a private manner, as was the case the night of the most horrid insult in question in the present proceedings; that if the most precious life of his Majesty escaped from the first way-layings, it might not fail of being destroyed by the others which succeeded them.

XVIII. It farther appears, that our said Lord having turned the corner of the said northern extremity of the  
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abovementioned houses belonging to the garden *do Meyo*, the aforesaid ring-leader of the conspiracy *Joseph Mascarenhas*, came forth immediately from the arch, which was in that place, and (accompanied by his servant and confident *John Michael*, and the other of the criminals guilty of this enormity) let-off against *Costodio da-Costa*, the coachman who drove his Majesty, a blunderbuss or demiculverin, which missing fire, and warning the coachman with the report it gave, and the flash from the pan, obliged him, without declaring to his Majesty what he had seen and heard, to push on the mules, so as that he, (the coachman) might avoid the repeated discharges which he apprehended; inasmuch as he had seen the one, which was let-off, aimed with a design to murder him: and the miscarriage of this attempted firing against the said coachman was the first of the apparent miracles with which the Divine Omnipotence, in that most fatal night, succoured all these realms, by the preservation of the inestimable life of his Majesty; it being impossible he should have escaped, if, the coachman falling dead with that infamous discharge, our said Lord had remained a prey in the hands of those horrible monsters, who stood armed, in so many and such neighbouring ambushes against his most august and most precious life.

XIX. It farther appears, that, on account of the hasty pace with which the said coachman endeavoured to save himself from the farther discharges with which he saw himself threatened, as aforesaid, the two most savage malefactors, *Antony-Alvares* and *Joseph Policarp*, who were posted in the ambush immediately following, close to the cavity of the new wall, which was lately raised there, could not, with all the facility they wanted, make their infamous discharges at the back of the carriage which conveyed our said Lord, so as to take a steady aim at the spot against which they should fire. Wherefore galloping after the said carriage, they fired as they possibly could upon the back of the same, the two sacrilegious and execrable shot, which (after having wrought on the said carriage, and upon the very cloaths our said Lord was drest in, all the mischiefs and destructive effects manifested in the proceedings on the matter

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of the crime) caused in his Majesty's most august and most sacred person those most grievous and most dangerous wounds and dilacerations; which, from the right shoulder along the arm and down to the elbow on the outside, and also on the inner part of the same, occasioned, over and above the said wounds and dilacerations, a considerable loss of substance from the largeness of the cavities, and the variety of the contusions: six of which went so far as to offend the breast, a great number of slugs being extracted from them all. Whence on one hand, is manifestly seen the cruelty with which the slugs were preferred to bullets, in order by that means the more certainly to secure the most fatal purpose of that savage and sacrilegious insult: and on the other, that this was the second of the miraculous works of the Divine Omnipotence in that most unfortunate night, for the common benefit of these realms, and of all the dominions thereof: for it cannot be in the common order of events, nor can it be in any wise ascribed to the casualty of accidental occurrences, that two charges of slugs, fired out of such pieces, should make their way through the narrow space of a carriage, without totally and absolutely destroying the persons who were in such carriage. And this is a self evident proof, that only the arm of the Almighty could have the power to turn aside those sacrilegious shot, so as that the one should only grazingly offend the outward part of the said shoulder and arm, and that the other should graze along between the said arm and the right side of the body, offending only the outward parts, without affecting any principal one.

XX. It farther appears, that this Second miraculous Event was followed by a Third, equal to it, or rather greater. For our Lord GOD making use in that critical conjuncture of that heroic courage and unshaken serenity, which among his Majesty's many royal and most august virtues are so distinctly brilliant, towards the preservation of his most inestimable and beneficent life, for the unspeakable good of us all: our Lord GOD, we say, making use of these the Royal Virtues, to manifest his prodigies to us; his Majesty not only bore those unexpected



and most torturing mischiefs, without uttering a single word, which indicated a complaint ; but, in the same most unhappy moment, reflecting with an enlightened and steady judgment, that every step he should advance would throw him wider off the chief surgeon of the kingdom, who resides at *Junqueira*, and that the great quantity he was losing of his royal blood, would not allow him the time for the three delays, which would be occasioned in his going on to his palace at our Lady of *Ajuda*, in sending from thence to *Junqueira* to fetch the said chief surgeon ; and in the coming of the same from *Junqueira* to the said palace ; his Majesty took the wonderful resolution to order the carriage to return back immediately from where he then was, to the house of the said chief surgeon of the Kingdom : where, not suffering his wounds to be uncovered till he had, by the sacrament of penance, first returned thanks to the supreme King of Kings, for the incomparable goodness it had pleased him to exert for the preservation of his life from so great a danger, he first confessed himself at the feet of a minister of the Gospel, and then proceeded with the same silence, serenity, and firmness, to submit to the painful operations necessary towards a cure. Which wisdom the divine Omnipotence made use of as another instrument towards blessing us with the preservation of the most precious and most beneficent life of our Lord THE KING : inasmuch as his Majesty's magnanimous silence at the time of the insult, and his enlightened resolution in returning back, after that brutal attempt upon him, are what constitute the Third miraculous dispensation of the Divine Omnipotence ; for by these means his Majesty avoided the other dangers, which he could not have escaped, had he continued the route he was accustomed to take in returning home to his palace ; since, by going that way, he must inevitably have passed the several ambushes of the other savage associates in the crime (all guilty of this heinous and horrible insult) : they being posted on the said road, ready armed, to way lay our said Lord, in the case (which happened) of his saving himself from the two foremost of the said Ambushes.

XXI. It farther appears, that the aforesaid criminals associated for this detestable and most enormous villainy, were so cruelly and barbarously hardened therein, and so totally abandoned by the Divine Grace, that having retreated through the several lanes and defiles set forth in the process; in the first place, they assembled again the same night, immediately after their said retreat, in the road which runs along by the Northern extremity of the garden of the criminal *Joseph Mascarenbas*, and there, instead of shewing any symptoms of their hearts being rent with grief, in consideration of the most enormous and pernicious mischief they had just perpetrated; very much on the reverse, they bragged of, and gloried in it, one with another; the criminal *Joseph Mascarenbas*, then Duke of *Aveiro*, beating on the stones the demi-culverin or blunderbuss, which had missed going off when he fired it against the afore mentioned coachman, *Custodia da Costa*, and saying in a passion, and angry with the said demi-culverin, these infernal words, "Damnation seize thee! when I want thee, thou art of no use to me;" The criminal *Francis Affizes*, then Marquis of *Tavora*, expressing some doubt, whether his Majesty had perished by those sacrilegious shot which were fired; the said criminal *Joseph Mascarenbas*, re-assuming the discourse with those other infernal words, "No matter, if he is not dead, he shall die;" another of the associates and aggressors taking up these words, and replying with the most impious threat, "the point is, that he do but go out, &c." And the other criminal, *Joseph-Maria of Tavora*, enquiring with great composure after the associate *John Michael*, who was not as yet arrived. And in the next place, re-assembling in the house of the aforesaid *Joseph Mascarenbas*, on the day immediately following, in a family-meeting, in consequence of the same inflexible obstinacy, savage despair, and deplorable abandon of all Divine Graces, they there persisted, some in reproaching the assassins *Antony-Alvares* and *Joseph-Policarp*, for that they had not aimed their fires in such a manner, as to compleat all their most mischievous intent: others in boasting, that they should have effectually compleated the said execrable intent, had our Lord THE KING passed by the ambushes, where they

themselves were posted to way-lay him; and others in soothing, or rather pampering their cruelty with the reflection, that his Majesty would not have escaped with his life, had he continued the road by which he was wont to return home, instead of turning back, as he did, by the descent of *Ajuda* to *Junqueira*.

XXII. It farther appears, that even if all the exuberant and conclusive proofs above rehearsed, which, with a fresh kind of manifest miracle, in the proceedings of this cause, verify the foul existence of this horrid conspiracy, and the crimes of every one of the criminals confederated therein, had really been wanting, as in the like cases they often are; the presumptions of the law, which condemns the ringleaders, or heads of the said conspiracy to be punished thereby, with all the rigours of law, and such others as his Majesty shall be pleased to permit, would amply suffice: for whereas all presumptions of the law are held for so many every way unquestionable truths, and for so many most full and uncontrovertible proofs, which dispense with the want of every other proof, and lay the person, who has them against him, under the encumbency of producing other contrary proofs, of such strength and efficacy as may conclusively destroy them; not one only, but many are the presumptions in law, which the said ringleaders of this conspiracy, and principally the criminal *Joseph Mascarenhas*, heretofore Duke of *Aveiro*, and the perverted members of the Society of JESUS have against them.

XXIII. It farther appears, in confirmation of the above premisses, that whereas the law presumes, that he who has been once bad, will be always such in crimes of the same species with that he has already committed; not one, but many have been the iniquities, which these two ringleaders have meditated against the august person and most happy government of our Lord THE KING, by a series of facts continued from the very commencement of his Majesty's most happy government.

XXIV. It farther appears, with regard to the said Jesuits, that these finding that the Superiority of Lights, and the incomparable Penetration of our said Lord, deprived them of the hopes of preserving that Despotism in  
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this Court, which they had arrogated to themselves in the Management of the Affairs thereof; and finding, that without this their absolute Despotism, they could not by any Means cover the Usurpations they had made in the *Portugal Dominions in Africa, Asia, and America*; and much less palliate the open War, which they had kindled with a formal Rebellion, in the North and South of the States of *Brazil*; they devised the most calumnious and detestable Suggestions and Intrigues against his Majesty's high Renown, and against the public Tranquility of these Realms; thereby to alienate from our said Lord both Natives and Foreigners; having repeatedly attempted various Projects of an execrable Nature, in order to excite Seditions in the very Heart of the Court and Kingdom, and to draw the scourge of War upon the said Kingdom and the Vassals thereof: From all which it follows, that the said Jesuits having committed all the aforesaid Iniquities against our Lord THE KING, and against his Kingdom, they are thereby constituted in the proper Terms of the aforesaid Rule and Presumption of the Law; and it would thence suffice, if all other Proofs had failed, to convince our Minds, that they were afterwards the Persons, who devised the Insult in Question; 'till they should prove in a conclusive Manner, that the Criminals guilty thereof were other People.

XXV. It farther appears, in fuller Confirmation of all that has been said, that, the Law presuming, that a great Crime is not committed without a great Interest; and therefore presuming also that the same person, who has the Interest in committing such Crime, was the person who did commit the same, till it be made perfectly evident that the Author thereof was another; and the said Jesuits having all the grand Interests which have been mentioned (and which by their own Acts and Deeds they manifested in this Conspiracy) in causing an End to be put to the most precious Life of our Lord THE KING, and to his Majesty's most happy Government; this single presumption of the Law would also be sufficient to it's being held for an uncontrovertable proof, according to Law, that the said Jesuits were the Criminals guilty of this execrable Crime; principally when it is considered, that only an Ambition  
such

such as theirs, of making a Conquest of the Dominions of this Realm, could bear any proportion and parity with the Insult unhappily committed in the Night of the third of September of last Year.

XXVI. It farther appears, in still fuller Confirmation of the Proofs, which are found in the proceedings in this Cause against said Jesuits, and of those which result against them from the presumptions of the Law above weighed; that all the said Proofs are corroborated with an invincible strength, when it is considered, that at the Juncture in which our Lord THE KING was disconcerting and disarming all those wicked Devices of the aforelaid Jesuits, by deposing the Royal Penitentiaries of that Fraternity, and by forbidding to all the Members thereof all Access to the Palace; it was seen on one Hand, that, at the very Time when so many undeceiving Disappointments, as were perking them in the Face, should have served to humble them; so far did they behave on the Reverse, that they openly and unditguisedly went on encreasing in Arrogance and Pride; publickly bragging, that the more the Court threw them off, so much the more the Nobility clung to them; threatening the said Court in an equally public Manner with the divine Chastisements; and suggesting from themselves, and by their Adherents, till the very latter End of August last past, that his Majesty's most precious Life would be short; sending such Notices, by several Posts, to different Countries of *Europe*; going so far as to explain, that the Month of September last past, was to be the final period of the same most august and inestimable Life; and *Gabriel Malagrida* writing to different persons of the Court the said most wretched prognostics, in Tone of prophecies: And on the other Hand, in Contradiction of all this, it was seen (and that on a sudden) that once the Criminals guilty of this horrible Conspiracy were seized, as they were in the Morning of the Thirteenth Day of December last past, immediately by the next following post of the Nineteenth of the said Month of December, their provincial, *John Henriques*, and others of their Fraternity, who hitherto used to write nothing but the like Arrogances, Haughtinesses, and prophecies of Vengeance and Death, now writing to *Rome*, made

made Use of more submissive and humble Terms; in order by the post of the said Nineteenth of December, to give Notice; that the Marquisses of *Tavora* the Marquis of *Alorna*, the Count of *Atouguia*, *Emanuel of Tavora*, the Duke of *Aveiro* and others were taken-up for the Insult of the third of September last past; they had military Guards set upon the Houses of their own Order; that the Fathers at *Rome* should recommend them to GOD as their Necessities greatly required, that they could make no Opposition to what they apprehended; that all the Community were in great Affliction, having Recourse to the Exercises of *F. Malagrida*; that the Publick involved them in the Insult of the third of Septem. and sentenced them to Imprisonments, Exiles, and a total Expulsion from the Court and Kingdom; that they were in the greatest of Straits; in the utmost Calamity; full of Dreads and Frights; without any Consolation; and without any Hopes thereof, &c. There resulting from these two contradictory Extremes of writing, as well in the Substance as in the Manner, before and after the aforesaid Insult, nothing less than a plain Demonstration to conclude; that, before the said Insult, they confided in the Conspiracy, which miscarried of that horrid Attempt, and in the hopes that it would bring forth its most pernicious Effects, which emboldened them to speak and write with so much temporal Haughtiness, and with so much spiritual Arrogance, and in a Tone of fatal and sacrilegious Prophecy: And that, after the Imprisonments of the thirteenth of December last past, finding themselves discovered; and those, who had conspired with them, ruined, and on the Point of being punished; all that chimerical Structure of Pride and Arrogance, necessarily sunk into that abject Faint-heartedness, which is indispensibly annexed to the Conviction of Guilt, and the Want of Means to cover and support the Disimulation with which it was committed.

XXVII. It farther appears, with regard to the ring-leader, or head of the same conspiracy, Don *Josepb Mascarenhas*, formerly Duke of *Aveiro*, that he also would be found under the same disposition towards being condemned by the plain proof, established on the same presumptions of the Law, even had there been nothing



nothing more against him : For as to the first of the said presumptions, which regards the badness of morals of the said Criminal ; it is notorious that afore the decease of our Lord the King, Don JOHN V. whom GOD has called to his Glory ; at the very time of the decease of that most august Monarch ; immediately after his decease, and even from that time to the present, he was Author of the innumerable intrigues and cabals, with which he filled the court of our Lord THE KING, in order to surprise his Majesty, and obstruct his resolutions, as well in the courts of Judicature as in the Cabinet, by the means of Ministers and persons of the faction of his Uncle *F. Gaspar da-Encarnação*, and of his own party of the said Criminal ; in such manner as that neither truth might approach the Royal Presence of our said Lord, nor any resolutions be taken, which were not obreptitious, subreptitious, and founded on false and captious informations. And as to the second, of the said presumptions, which consists in the great causes and interests, he might have, for committing this execrable crime, it has been already shewn, that they are made manifest, and of infallible certainty in the proceedings of this cause. And finally, for a farther confirmation of the belief (which the acts and deeds of the said criminal have made certain) that he was the person who committed the execrable insult in question ; it will suffice to reflect, that both before and after it he acted the very same part, which was acted by the said Jesuits ; it being certain on one hand, that afore the said insult, his pride and his arrogance were such, and so generally scandalous, as is manifested : And it being equally certain on the other, that since the same execrable insult failed of producing the most horrible effect, to which it was destined , and that our Lord THE KING began to recover ; all that pride and his arrogance sunk into that most discomposed heartlessness, with which the said Criminal, having no longer the courage to appear at Court, quitted it with confusion and dread to retire to his Country house at *Azeitão*, where he was seized ; after attempting to save himself, first, by flight, and then by an ill-judged resistance.

XXVIII. It farther appears, lastly, that the same prevails with regard to Lady *Eleanor of Tavora*, heretofore Marchioness of that title, the third ringleader of this infamous conspiracy. It being notorious, in the first place, that her diabolical spirit of pride and insatiable ambition, accompanied with the most daring and intrepid haughtiness, which has hitherto been seen in any person of her sex, was sufficient to excite her to run into the greatest insults, and particularly into the one in question: It being equally notorious that, instigated by those blind and most ardent passions, she had the boldness (along with her husband) to offer a remonstrance to our Lord THE KING, for him to be made a Duke; notwithstanding that all his insignificant services had been fully requited with the promotions he had obtained in the year one thousand seven hundred and forty-nine, the year, in which he set out for the state of India; and that there was no precedent, in the Chanceries of the Realm, of any one in that post being promoted to the title of Duke, not even for such important services as those of the many and great Heroes, who have illustrated the *Portuguese* history with their glorious feats: It being equally notorious, that both the said criminals, without consideration or shame, were incessantly persecuting the Secretary of state for domestic affairs for that promotion; which, as it was not comprised in the usual course of Royal grants, they haughtily and incessantly demanded and sued for, as a debt of Justice: It being equally certain, that the same Secretary of state was compelled, in order to check those daily importunities, and the successive reproaches which thence resulted, to make the said criminals comprehend in a polite and decent manner, that their pretension had no one precedent to support it: And this necessary act of undeceiving them, proved, though involuntarily, the foundation of that passion and interest-ness, with which the said Marchioness Lady *Eleanor of Tavora* went and reconciled herself with the Duke of *Aveiro*, and declared herself one of the ringleaders of the barbarous conspiracy contrived by him, in order to obtain, by favour of the same Duke, with the ruin of Majesty,

jesty, and the Monarchy, that ducal title, which the vehement ambition of rivalling her aforesaid brother-in-law in the same title, had inflamed her with : And lastly, it being equally notorious, that all that pride, ambition, and haughtiness, which she had exerted, till the fatal epoch of the execrable insult of the third of *September* of last year, did, after the said insult, fall spiritless into manifest confusion and dismay.

XXIX. All which considered, and the rest contained in the process, together with the resolution, which it has pleased our said Lord to come to in the consultation of this tribunal, by amplifying the jurisdiction and authority thereof, to the end that it may extend the penalties deserved by these infamous and sacrilegious Criminals, in such form as may proportion them as much as possible to their execrable and most scandalous crimes,

They condemn the criminal *Joseph Mascarenhas* (who is already unnaturalized, divested of the honours and privileges of a *Portuguese*, and of those of a vassal and servant; degraded of the order of *St. Jago*, of which he was a commendatory; and resigned up to this tribunal and to the lay-justice, which is therein administered) to the punishment, That he, as one of the three heads, or chief ringleaders of this infamous conspiracy, and of the abominable insult which resulted from it, be conveyed with a halter about his neck, and proclamation of his crimes, to the square upon the quay of the town of *Belem*; and that there, upon a high scaffold, which shall be sufficiently elevated for his punishment to be visible to the whole people, whom the scandal of his most horrible crime has offended, after he has been broken alive, by the rupture of the eight bones of his legs and arms, he be exposed on a wheel, for the satisfaction of the present and future vassals of this realm: And that, after this execution being done, the same criminal be burnt alive, with the said scaffold on which he was executed, till all be reduced by fire into ashes and powder, which shall be thrown into the sea; that there may be no more notice taken of him or his memory: And though, as a criminal guilty of the abominable crimes of rebellion, sedition, high-treason, and parricide,



parricide, he be already condemned, by the tribunal of military orders, to the confiscation and forfeiture of all his real and personal estate to the use of the crown, as has been practised in the cases, wherein the crime of high-treason of the first rate has been committed; nevertheless, considering this as having been a case so unexpected, so unusual, and so extravagantly horrible and unthought of by the laws, that not even they have provided for, nor can there be found therein a punishment proportioned to it's exorbitant foulness; therefore from this motive our said Lord was entreated in the consultation of this court, and his Majesty was pleased, in conformity to it's request, to grant it the ample jurisdiction to establish all the punishments, which should be settled by a plurality of votes, over and above those, which by the laws, and dispositions of law, are already established: And considering that the punishment the most conformable to equity, is that of erasing and obliterating, by every means, every memorial of the name and remembrance of such enormous criminals: they also condemn the same criminal, not only in the penalties of the common law, that his arms and achievement, wherever placed, be pulled down, and rent in pieces; and that the houses, and material edifices of his abode be demolished and erased in such sort, that there may not a sign of them remain, being reduced to a wild, and covered with salt; but also that all effective houses or estates by him enjoyed, in those parts thereof, which have been established in properties of the crown, or have issued from thence (as, for example, those estates were, which are specified in the grants of the house of *Aveiro*) and all such like, be confiscated, and from this time forward forfeited, with effectual reversion and reincorporation in the said crown, from whence they derived; notwithstanding the ORDINATION of *Book V. Tit. 6, § 15*, and any regulations of law, clauses of institutions, and grants whatever; however exuberant and annulling they be: this decision being consulted with our said lord; and he being humbly besought to pass orders for cancelling, annulling, and destroying the said titles, in the tower of *Tombo*, and in all other places whereto they may belong, to the end, that, as cancelled and annulled, no more copies may be extracted

tracted from them, and that those which may be found in private hands, already extracted from thence, be no more admitted in judgment, or out of the same : in which no faith or credit shall be had towards their being alledged, produced or attended to, in any audience or adjudgment; but rather, as they shall chance to be produced, they shall be sequestered, and sent to the solicitor of the crown, to be torn and rent, as null; that, as such, they may be of none effect, nor cause any demur. The same they order to be observed, with respect to the copy-holds of any kind whatever, with the proviso established concerning the sale thereof in benefit of the Lords of the manors, by the ORDINATION of *Book V. Tit. 1. § 1.* With regard to the other entailed estates, settled with the patrimony of the entailers, they declare, that the statutes are to be observed in benefit of those who ought to succeed to them, as they are found in the ORDINATION of *Book V. Tit. 6. § 15.*

They condemn to the same pains, the criminal *Francis-Affixer of Tavora*, a head also of the same conspiracy, persuaded by the criminal his wife, and, equally unnaturalized, degraded, and given-up, by the tribunal of military orders, to this court and the lay-justice therein administered. And seriously considering, and circumspectly weighing, with all the mature deliberation which was indispensable in this case, that the said criminal, and the criminal his wife, not only made themselves personal heads of this flagitious conspiracy, treachery, and parricide, but also rendered their most enormous guilt common to their family, by gaining their point of drawing into it also the major part of the same family, and boasting with insatuated and petulant vanity, that the union thereof would be sufficient to uphold them in the commission of those most horrible cruelties: they ordain, that no persons, of whatever state or condition they be, from the publication hereof, for the future, may make use of the surname of *Tavora*, on pain of forfeiture of all their goods and chattles to the Use of the crown, and of being outlawed throughout these realms and the dominions of *Portugal*, with the forfeiture of all the priviledges belonging to them, as natives thereof.

They condemn the two savage monsters *Antonio-Alvares Ferreira* and *Joseph de Policarp de Azevedo*, who fired the  
two

two sacrilegious shot from which the supreme Majesty of our Lord THE KING received the hurt, to be conveyed with halters about their necks, and proclamation of their crimes, to the same square ; and that being there exalted on two posts, fire be set to them, which shall consume them alive, till their bodies be reduced to ashes and powder, which shall be thrown into the sea in the aforementioned manner : and this over and above the confiscation of all their goods and chattels to the use of the crown, with the demolition and erazement of their dwelling-houses, if their own ; in which case, they shall be likewise covered with salt. And whereas the criminal *Joseph-Policarp* has absconded, they hold him for out-law'd ; and they command all the justiciary officers of his Majesty, that they pursue him with hue and cry, throughout the land, in order to have him seized ; or that any body, without being his enemy, may kill him : and in case he be taken prisoner within the dominions of this realm, and presented before the senator of the palace, *Peter Gonçalves, Cordeiro Pereira*, Judge of the private Inquest ; he will cause the person or persons, who shall present him, to be gratified with the reward of Ten Thousand Crusados, or of Twenty Thousand Crusados, he being apprehended in a foreign country, over and above the travelling expences they may be at who seize and give him up.

They condemn the criminals *Lewis Bernard of Tavora, Don Jerome of Ataide, Joseph-Maria of Tavora, Blaise Joseph Romeiro, John Michael, and Emanuel-Alvarez*, to be conveyed, with halters about their necks, and the proclamation of their crimes, to the scaffold, which shall be erected for these executions ; whereon, being first strangled, and afterwards having successively the eight bones of their arms and legs broken, they shall also be put on wheels and their bodies be reduced by fire into powder, and thrown into the sea, in the manner aforesaid. And they condemn them likewise in confiscation and forfeiture of all their goods to the use of the crown ; and even the entails founded on property of the crown, in the manner above declared, as also all copyholds ; over and above the infamy, in which they hold their children and grand children involved ; and the demolition, erazement, and salting of their dwelling houses, if their own ; and the pulling down and defacement



of the arms and achievements of such of them as  
any heretofore.

And the criminal the lady *Eleanor Tavora*, wife of the  
criminal *Francis Affizes of Tavora*, for certain just con-  
siderations, (exempting her from the greater punishments,  
which by her crimes she deserved) they condemn only to be  
conveyed, with a halter about her neck, and the proclama-  
tion of her crimes, to the same scaffold, and, that, thereon  
she suffer natural death to perpetuity, by having her head  
separated from her body; which shall be afterwards by fire  
reduced to powder, and thrown also into the sea, in the  
manner aforesaid: they also condemn the same criminal in con-  
fiscation of all her goods to the use of the crown; compre-  
hending, in this confiscation, those of entail, which may  
be founded on property of the crown, and copyholds of the  
like nature; together with all the other penalties which  
have been established for the extinction of the memory of  
the criminals, *Joseph Mascarenhas*, and *Francis Affizes  
of Tavora*.

At the Palace of our Lady of Ajuda, in the consultation  
of the 12th of January of 1759.

*With the signature of the three Secretaries of State,  
who presided.*

*Cordeiro. Pacheco. Bacalbáo. Lima. Sousa.*

*Oliveiro Machado*

Was present



*With the signet of the Solicitor of the Crown.*

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